

**UNITED STATES DISTRICT COURT**  
 for the  
 District of New Jersey

United States of America )  
 v. )  
 ) Case No. 13-mj-1048 (AMD)  
 NICHOLAS E. REMCHUK )  
 )  
 )  
 )

*Defendant(s)*

**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 3, 2013 in the county of Camden in the  
 District of New Jersey, the defendant(s) violated:

*Code Section*

*Offense Description*

18 U.S.C. § 922(j)

On or about April 3, 2013, in Camden County, in the District of New Jersey and elsewhere, defendant Nicholas E. Remchuk sold a firearm which had been shipped or transported in interstate commerce, knowing that the firearm was stolen.

In violation of Title 18, United States Code, Section 922(j).

This criminal complaint is based on these facts:

See Attachment A

Continued on the attached sheet.

  
 Complainant's signature

Bryan Lacy, Special Agent, FBI  
 Printed name and title

Sworn to before me and signed in my presence.

Date: 10/15/2013

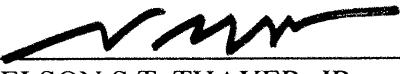
  
 Judge's signature

City and state: Camden, New Jersey

Hon. Ann Marie Donio, U.S. Magistrate Judge  
 Printed name and title

CONTENTS APPROVED

UNITED STATES ATTORNEY

BY:   
NELSON S.T. THAYER, JR.  
Assistant United States Attorney

Date: 10/15/13

AFFIDAVIT

I, Bryan Lacy, a Special Agent with the Federal Bureau of Investigation (“FBI”), being duly sworn, aver as follows:

1. I have been an FBI Special Agent since March 2010. I am currently assigned to the South Jersey Violent Offender Gang Task Force (“SJVOGTF”), which investigates, among other things, narcotics, weapons, and money laundering violations. Prior to being assigned to the SJVOGTF, I was assigned to the FBI Philadelphia Division, Headquarters in Philadelphia, Pennsylvania. I have received training in investigating violations of federal statutes from the FBI Academy located in Quantico, Virginia. I have conducted physical and electronic surveillance, debriefed confidential human sources and participated in numerous arrests and in the execution of search warrants. The following information was obtained through federal, state and local investigation by the SJVOGTF. Since this Affidavit is submitted for the sole purpose of establishing probable cause to support the issuance of a Complaint, I have not necessarily included each and every fact known by the Government concerning this investigation. Except as otherwise indicated, the actions, conversations, and statements of others identified in this Affidavit are reported in substance and in part.

2. In early April, 2013 law enforcement executed a search warrant at a location in Camden, New Jersey and recovered a 9 mm Browning, model Hi Power handgun (serial number 245NP50266). An NCIC check revealed that the handgun was reported stolen on April 3, 2013 by the Mt. Ephraim Police Department.

3. On April 10, 2013, the Mt. Ephraim Police Department provided to the SJVOGTF a police report regarding a residential burglary that was reported on April 3, 2013. The burglary was reported by a homeowner, who resided in Mt. Ephraim, New Jersey, and who was reported

by the Mt. Ephraim Police Department to be related to Nicholas E. Remchuk, who lived at the same residence (“the residence”). Reported stolen during the burglary were several handguns and cash.

4. When interviewed by law enforcement, Nicholas E. Remchuk admitted that he staged the burglary. The purpose of the staged burglary was to cover up his theft of several firearms from the residence. Remchuk stated that prior to staging the burglary, he had removed the firearms from the residence and traveled to a location in Camden, New Jersey, where he met with several individuals and sold the firearms.

5. The SJVOGTF has corroborated Nicholas E. Remchuk’s statement that he sold the stolen firearms through various investigative methods, including audio and video surveillance, search warrants and witness statements. For example, Remchuk was audio and video-recorded discussing with another individual his sale of several firearms, referring to specific calibers and prices. In addition, witnesses interviewed by law enforcement have confirmed purchasing from Remchuk firearms matching the descriptions of those he stole from the residence. In addition to the 9 mm Browning handgun (serial number 245NP50266), the SJVOGTF has recovered several of the other firearms stolen by Remchuk from the residence, verified by, among other methods, matching their serial numbers and descriptions to firearms listed in the Mt. Ephraim Police Department burglary report referred to above in paragraph 3.

6. The 9 mm Browning handgun (serial number 245NP50266), was tested and found to be operable and capable of being discharged and, therefore, is a firearm within the meaning of Title 18, United States Code, Section 921(a)(3).

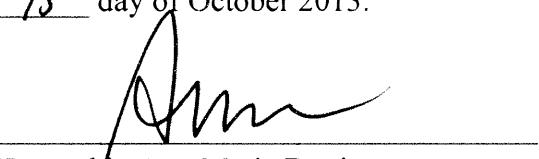
7. Browning handguns are not manufactured in New Jersey and by virtue of the firearm being present in Camden County, New Jersey, traveled in interstate commerce.

8. Based on the above, it is submitted that probable cause exists for the issuance of a Criminal Complaint and Warrant for Arrest for Nicholas E. Remchuk, charging him with one count of knowingly possessing and selling a stolen firearm in violation of Title 18, United States Code, Section 922(j).



Bryan Lacy, Special Agent  
Federal Bureau of Investigation

Sworn and subscribed before me this  
15<sup>th</sup> day of October 2013.



Honorable Ann Marie Donio  
United States Magistrate Judge